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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/833,370	04/12/2001	Jar-Chen Wang	952.701	3129

26129 7590 06/06/2002

CHAN LAW GROUP LC
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EXAMINER	
VANAMAN, FRANK BENNETT	
ART UNIT	PAPER NUMBER
3618	

DATE MAILED: 06/06/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 3618

Non-Responsive Amendment

1. The reply filed on April 22, 2002 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

- (a) Receipt is acknowledged of the request for a Continued Prosecution Application (CPA) filed on April 22, 2002 under 37 CFR 1.53(d) based on Application No. 09/833,370. However, because the application was filed after May 29, 2000, the request is not acceptable and no CPA has been established.
- (b) In the case of a CPA not being appropriate, the Office may treat a request for a CPA instead as an RCE, or Request for Continued Examination. In the instant case, however, this is not possible, as an RCE cannot be established until prosecution of the application has been terminated, for example, after Final Rejection.
- (c) Further, the changing of inventorship under RCE conditions (as CPA conditions are not available in the instant application due to its filing date) cannot be accomplished without the appropriate petition under 37 CFR 1.48.
- (d) A tabular comparison of the two practices may be found at the end of MPEP section 706.07(h). Entry 1 in the table covers the appropriate filing dates for applications under the two practices, entry 12 covers the changing of inventors.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

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2. The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 3618.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to F. Vanaman whose telephone number is (703) 308-0424. Any inquiry of a general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703) 308-1113.

Any response to this action should be mailed to:

Assistant Commissioner for Patents
Washington, DC 20231

or faxed to :

(703) 305-3597 or 305-7687 (for formal communications intended for entry;
informal or draft communications may be faxed to the same number but should be
clearly labeled "UNOFFICIAL" or "DRAFT")

F. VANAMAN
Primary Examiner
Art Unit 3618

F. Vanaman
June 3, 2002

